

Amend Section 80027 to read:

80027 INITIAL APPLICATION REVIEW (Continued)

80027

(b) (Continued)

- (6) The application/renewal ~~processing~~ fee shall be nonrefundable as specified in Section 80036(d)

Authority Cited: Sections 1524, and 1530, Health and Safety Code.

Reference: Sections 1520, 1520.3, 1522.1, 1523.1, and 1524, Health and Safety Code, and Section 15376, Government Code.

Amend Section 80036 to read:

80036 APPLICATION/ANNUAL PROCESSING LICENSING FEES

80036

- (a) An applicant or a licensee shall be charged ~~application and annual~~ fees as specified in Health and Safety Code Section 1523.1.

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Health and Safety Code Section 1523.1 provides ~~that the fee charged shall be as follows:~~

Facility Type	Capacity	Original Application	Annual
Foster Family and Adoption Agencies		\$1,000	\$1,000
Other Community Care	1-6	\$ 300	\$ 300
Facilities Except Adult Day Care	7-15	\$ 450	\$ 450
Facilities and Adult Day Support Centers	16-49	\$ 600	\$ 600
	50+	\$ 750	\$ 750
Adult Day Care Facilities and Adult Day Support Centers	1-15	\$ 0	\$ 50
	16-30	\$ 100	\$ 100
	31-60	\$ 200	\$ 200
	61-75	\$ 250	\$ 250
	76-90	\$ 300	\$ 300
	91-120	\$ 400	\$ 400
	121+	\$ 500	\$ 500

“(a) An application fee adjusted by facility and capacity shall be charged by the department for the issuance of a license. After initial licensure, a fee shall be charged by the department annually on each anniversary of the effective date of the license. The fees are for the purpose of financing the activities specified in this chapter. Fees shall be assessed as follows:

Fee Schedule

<u>Facility Type</u>	<u>Capacity</u>	<u>Initial Application</u>	<u>Annual</u>
<u>Foster Family and Adoption Agencies</u>		<u>\$2,500</u>	<u>\$1,250</u>
<u>Adult Day Programs</u>	<u>1-15</u>	<u>\$ 150</u>	<u>\$ 75</u>
	<u>16-30</u>	<u>\$ 250</u>	<u>\$ 125</u>
	<u>31-60</u>	<u>\$ 500</u>	<u>\$ 250</u>
	<u>61-75</u>	<u>\$ 626</u>	<u>\$ 313</u>

	<u>76-90</u>	<u>\$ 750</u>	<u>\$ 375</u>
	<u>91-120</u>	<u>\$ 1,000</u>	<u>\$ 500</u>
	<u>121+</u>	<u>\$ 1,250</u>	<u>\$ 625</u>
<u>Other Community</u>	<u>1-3</u>	<u>\$ 375</u>	<u>\$ 375</u>
<u>Care Facilities</u>	<u>4-6</u>	<u>\$ 750</u>	<u>\$ 375</u>
	<u>7-15</u>	<u>\$ 1,126</u>	<u>\$ 563</u>
	<u>16-30</u>	<u>\$ 1,500</u>	<u>\$ 750</u>
	<u>31-49</u>	<u>\$ 1,876</u>	<u>\$ 938</u>
	<u>50-74</u>	<u>\$ 2,252</u>	<u>\$1,126</u>
	<u>75-100</u>	<u>\$ 2,628</u>	<u>\$1,314</u>
	<u>101-150</u>	<u>\$ 3,004</u>	<u>\$1,502</u>
	<u>151-200</u>	<u>\$ 3,502</u>	<u>\$1,751</u>
	<u>201-250</u>	<u>\$ 4,000</u>	<u>\$2,000</u>
	<u>251-300</u>	<u>\$ 4,500</u>	<u>\$2,250</u>
	<u>301-350</u>	<u>\$ 5,000</u>	<u>\$2,500</u>
	<u>351-400</u>	<u>\$ 5,500</u>	<u>\$2,750</u>
	<u>401-500</u>	<u>\$ 6,500</u>	<u>\$3,250</u>
	<u>501-600</u>	<u>\$ 7,500</u>	<u>\$3,750</u>
	<u>601-700</u>	<u>\$ 8,500</u>	<u>\$4,250</u>
	<u>701+</u>	<u>\$10,000</u>	<u>\$5,000</u>

(b) (1) In addition to fees set forth in subdivision (a), the department shall charge the following fees:

(A) A fee that represents 50 percent of an established application fee when an existing licensee moves the facility to a new physical address.

(B) A fee that represents 50 percent of the established application fee when a corporate licensee changes who has the authority to select a majority of the board of directors.

(C) A fee of twenty-five dollars (\$25) when an existing licensee seeks to either increase or decrease the licensed capacity of the facility.

(D) An orientation fee of fifty dollars (\$50) for attendance by any individual at a department-sponsored orientation session.

(E) A probation monitoring fee equal to the annual fee, in addition to the annual fee for that category and capacity for each year a license has been placed on probation as a result of a stipulation or decision and order pursuant to the administrative adjudication procedures of the Administrative Procedure Act (Chapter 4.5 (commencing with Section 11400) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

(F) A late fee that represents an additional 50 percent of the established annual fee when any licensee fails to pay the annual licensing fee on or before the due date as indicated by postmark on the payment.

(G) A fee to cover any costs incurred by the department for processing payments including, but not limited to, bounced check charges, charges for credit and debit transactions, and postage due charges.

(H) A plan of correction fee of two hundred dollars (\$200) when any licensee does not implement a plan of correction on or prior to the date specified in the plan.

(2) Foster family homes shall be exempt from the fees imposed pursuant to this subdivision.

(3) Foster family agencies shall be annually assessed eighty dollars (\$80) for each home certified by the agency.

(4) No local jurisdiction shall impose any business license, fee, or tax for the privilege of operating a facility licensed under this chapter which serves six or fewer persons.

(c) (1) The revenues collected from licensing fees pursuant to this section shall be utilized by the department for the purpose of ensuring the health and safety of all individuals provided care and supervision by licensees and to support activities of the licensing program, including, but not limited to, monitoring facilities for compliance with licensing laws and regulations pursuant to this chapter, and other administrative activities in support of the licensing program, when appropriated for these purposes. The revenues collected shall be used in addition to any other funds appropriated in the Budget Act in support of the licensing program.

(2) The department shall not utilize any portion of these revenues sooner than 30 days after notification in writing of the purpose and use of this revenue, as approved by the Director of Finance, to the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the committee in each house that considers appropriations for each fiscal year. The department shall submit a budget change proposal to justify any positions or any other related support costs on an ongoing basis.

(d) A facility may use a bona fide business check to pay the license fee required under this section.

(e) The failure of an applicant or licensee to pay all applicable and accrued fees and civil penalties shall constitute grounds for denial or forfeiture of a license.”

HANDBOOK ENDS HERE

- (b) ~~No~~ An additional fee shall be charged when the licensee requests an increase or decrease in capacity ~~between annual anniversary dates~~ as specified in Health and Safety Code Section 1523.1(b)(1)(C).

- (c) When a licensee moves a facility from one location to another, the ~~application processing~~ relocation fee shall be as specified in Health and Safety Code Section 1523.1(b)(1)(A). ~~follows:~~

Capacity	Relocation
1—6	\$50
7—15	\$75
16—49	\$100
50+	\$125

- (1) To ~~receive~~ qualify for the reduced relocation fee the following shall apply:

(A) (Continued)

- (d) The ~~application/annual processing fees~~ shall be nonrefundable ~~except as provided in Government Code Section 15378.~~

Authority Cited: Section 1530, Health and Safety Code.

Reference: Sections 1523.1, and 1524, Health and Safety Code; ~~and Section 15378,~~
~~Government Code.~~

Amend Section 87224 to read:

87224 APPLICATION/ANNUAL PROCESSING LICENSING FEES

87224

- (a) An applicant or licensee shall be charged ~~application and annual~~ fees as specified in Health and Safety Code Section 1569.185.

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Health and Safety Code Section 1569.185 provides ~~that the fees charged shall be as follows:~~

<u>Capacity</u>	<u>Original Application</u>	<u>Annual</u>
1—6	\$300	\$300
7—15	\$450	\$450
16—49	\$600	\$600
50+	\$75	\$750

“(a) An application fee adjusted by facility and capacity shall be charged by the department for the issuance of a license to operate a residential care facility for the elderly. After initial licensure, a fee shall be charged by the department annually on each anniversary of the effective date of the license.”

The fees are for the purpose of financing activities specified in this chapter. Fees shall be assessed as follows:

Fee Schedule

<u>Capacity</u>	<u>Initial Application</u>	<u>Annual</u>
<u>1-3</u>	<u>\$375</u>	<u>\$375</u>
<u>4-6</u>	<u>\$750</u>	<u>\$375</u>
<u>7-15</u>	<u>\$1,126</u>	<u>\$563</u>
<u>16-30</u>	<u>\$1,500</u>	<u>\$750</u>
<u>31-49</u>	<u>\$1,876</u>	<u>\$938</u>
<u>50-74</u>	<u>\$2,252</u>	<u>\$1,126</u>
<u>75-100</u>	<u>\$2,628</u>	<u>\$1,314</u>
<u>101-150</u>	<u>\$3,004</u>	<u>\$1,502</u>
<u>151-200</u>	<u>\$3,502</u>	<u>\$1,751</u>
<u>201-250</u>	<u>\$4,000</u>	<u>\$2,000</u>
<u>251-300</u>	<u>\$4,500</u>	<u>\$2,250</u>
<u>301-350</u>	<u>\$5,000</u>	<u>\$2,500</u>
<u>351-400</u>	<u>\$5,500</u>	<u>\$2,750</u>

<u>401-500</u>	<u>\$6,500</u>	<u>\$3,250</u>
<u>501-600</u>	<u>\$7,500</u>	<u>\$3,750</u>
<u>601-700</u>	<u>\$8,500</u>	<u>\$4,250</u>
<u>701+</u>	<u>\$10,000</u>	<u>\$5,000</u>

(A) A fee that represents 50 percent of an established application fee when an existing licensee moves the facility to a new physical address.

(B) A fee that represents 50 percent of the established application fee when a corporate licensee changes who has the authority to select a majority of the board of directors.

(C) A fee of twenty-five dollars (\$25) when an existing licensee seeks to either increase or decrease the licensed capacity of the facility.

(D) An orientation fee of fifty dollars (\$50) for attendance by any individual at a department-sponsored orientation session.

(E) A probation monitoring fee equal to the annual fee, in addition to the annual fee for that category and capacity for each year a license has been placed on probation as a result of a stipulation or decision and order pursuant to the administrative adjudication procedures of the Administrative Procedure Act (Chapter 4.5 (commencing with Section 11400) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

(F) A late fee that represents an additional 50 percent of the established annual fee when any licensee fails to pay the annual licensing fee on or before the due date as indicated by postmark on the payment.

(G) A fee to cover any costs incurred by the department for processing payments including, but not limited to, bounced check charges, charges for credit and debit transactions, and postage due charges.

(H) A plan of correction fee of two hundred dollars (\$200) when any licensee does not implement a plan of correction on or prior to the date specified in the plan. (2) No local jurisdiction shall impose any business license, fee, or tax for the privilege of operating a facility licensed under this chapter which serves six or fewer persons.

(c) (1) The revenues collected from licensing fees pursuant to this section shall be utilized by the department for the purpose of ensuring the health and safety of all individuals provided care or supervision by licensees and to support the activities of the licensing programs, including, but not limited to, monitoring facilities for compliance with licensing laws and regulations pursuant to this chapter, and other administrative activities in support of the licensing program, when appropriated for these purposes. The revenues collected shall be used in addition to any other funds appropriated in the annual Budget Act in support of the licensing program. (2) The department shall not utilize any portion of these revenues sooner than 30 days after notification in writing of the purpose and use, as

approved by the Department of Finance, to the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the committee in each house that considers appropriations for each fiscal year. The department shall submit a budget change proposal to justify any positions or any other related support costs on an ongoing basis.

(d) A residential care facility for the elderly may use a bona fide business check to pay the license fee required under this section.

(e) The failure of an applicant for licensure or a licensee to pay all applicable and accrued fees and civil penalties shall constitute grounds for denial or forfeiture of a license.”

HANDBOOK ENDS HERE

(b) (Continued)

(c) ~~No~~ An additional fee shall be charged when the licensee requests an increase or decrease in capacity ~~between annual anniversary dates as specified in Health and Safety Code Section 1569.185(b)(1)(C).~~

(d) When a licensee moves a facility from one location to another, the ~~application processing relocation~~ fee shall be as ~~follows~~ specified in Health and Safety Code Section 1569.185(b)(1)(A).

1) To ~~receive~~ qualify for the reduced relocation fee the following shall apply:

(A) (Continued)

(e) The ~~application/annual processing fees~~ shall be nonrefundable ~~except as provided in Government Code Section 15378.~~

Authority Cited: Section 1569.30, Health and Safety Code.

Reference: Sections 1569.185 and 1569.19, Health and Safety Code.

Amend Section 87228 to read:

87228 APPLICATION REVIEW (Continued)

87228

- (b) The licensing agency shall cease review of any application as specified in Section 1569.16 of the Health and Safety Code. (Continued)
- (4) The application/~~renewal-processing~~ fee shall be non-refundable as specified in Section 87224(e).

Authority Cited: Section 1569.30, Health and Safety Code.

Reference: Sections 1569.15, 1569.16, 1569.17, 1569.20, and 1569.205, Health and Safety Code.

Amend Section 87834 to read:

87834 SUBMISSION OF NEW APPLICATION

87834

(a) (Continued)

(4) (Continued)

(B) The applicant shall pay the ~~reduced~~ fee as specified in Health and Safety Code Section 1568.05(b)(1)(C) 87836(e).

HANDBOOK BEGINS HERE

Health and Safety Code Section 1568.05(b)(1)(c) provides in pertinent part:

“(C) A fee of twenty-five dollars (\$25) when an existing licensee seeks to either increase or decrease the licensed capacity of the facility.

HANDBOOK ENDS HERE

(5) (Continued)

Authority Cited: Section 1568.072, Health and Safety Code.

Reference: Sections 1568.061 and 1568.072, Health and Safety Code.

Amend Section 87836 to read:

87836 APPLICATION PROCESSING-LICENSING FEES

87836

- (a) The applicant or licensee shall pay ~~the fees~~ charged by the Department ~~for processing the application~~ as specified in Health and Safety code Section 1568.05.

HANDBOOK BEGINS HERE

Health and Safety Code Section 1568.05 provides:

“(a) An application fee adjusted by facility and capacity, shall be charged by the department for a license to operate a residential care facility. After initial licensure, a fee shall be charged by the department annually, on each anniversary of the effective date of the license. The fees are for the purpose of financing the activities specified in this chapter. Fees shall be assessed as follows:

Fee Schedule

<u>Capacity</u>	<u>Initial Application</u>	<u>Annual</u>
<u>1-6</u>	<u>\$500</u>	<u>\$250 plus \$10 per bed</u>
<u>7-15</u>	<u>\$626</u>	<u>\$313 plus \$10 per bed</u>
<u>16-25</u>	<u>\$750</u>	<u>\$375 plus \$10 per bed</u>
<u>26-50</u>	<u>\$876</u>	<u>\$438 plus \$10 per bed</u>
<u>51+</u>	<u>\$876</u>	<u>\$438 plus \$10 per bed</u>

(b) (1) In addition to fees set forth in subdivision (a), the department shall charge the following fees:

(A) A fee that represents 50 percent of an established application fee when an existing licensee moves the facility to a new physical address.

(B) A fee that represents 50 percent of the established application fee when a corporate licensee changes who has the authority to select a majority of the board of directors.

(C) A fee of twenty-five dollars (\$25) when an existing licensee seeks to either increase or decrease the licensed capacity of the facility.

(D) An orientation fee of fifty dollars (\$50) for attendance by any individual at a department-sponsored orientation session.

(E) A probation monitoring fee equal to the annual fee, in addition to the annual fee for that category and capacity for each year a license has been placed on probation as a result of a stipulation or decision and order pursuant to the administrative adjudication procedures of the Administrative Procedure Act (Chapter 4.5 (commencing with Section 11400) and

Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

(F) A late fee that represents an additional 50 percent of the established annual fee when any licensee fails to pay the annual licensing fee on or before the due date as indicated by postmark on the payment.

(G) A fee to cover any costs incurred by the department for processing payments including, but not limited to, bounced check charges, charges for credit and debit transactions, and postage due charges.

(H) A plan of correction fee of two hundred dollars (\$200) when any licensee does not implement a plan of correction on or prior to the date specified in the plan.

(2) No local governmental entity shall impose any business license, fee, or tax for the privilege of operating a facility licensed under this chapter which serves six or fewer persons.

(c) All fees collected pursuant to subdivisions (a) and (b) shall be deposited in the Technical Assistance Fund.

(d) The revenues collected from licensing fees pursuant to this section shall be utilized by the department for the purpose of ensuring the health and safety of all individuals provided care and supervision by licensees and to support activities of the licensing program, including, but not limited to, monitoring facilities for compliance with licensing laws and regulations pursuant to this chapter, and other administrative activities in support of the licensing program, when appropriated for these purposes. The revenues collected shall be used in addition to any other funds appropriated in the Budget Act in support of the licensing program.

(e) The department shall not utilize any portion of the revenues collected pursuant to this section sooner than 30 days after notification in writing of the purpose and use of this revenue, as approved by the Director of Finance, to the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the committee in each house that considers appropriations for each fiscal year. The department shall submit a budget change proposal to justify any positions or any other related support costs on an ongoing basis.

(f) Fees established pursuant to this section shall not be effective unless licensing fees are established for all adult residential facilities licensed by the department.

(g) A residential care facility may use a bona fide business check to pay the license fee required under this section.

(h) The failure of an applicant for licensure or a licensee to pay all applicable and accrued fees and civil penalties shall constitute grounds for denial or forfeiture of a license.”

HANDBOOK ENDS HERE

- (b) A fee shall be charged at the time of application and annually thereafter according to capacity.

- (1) ~~The fee charged at the time of application shall be according to requested capacity.~~

Capacity	Annual Fee
1—6	\$200 plus \$8 per bed
7—15	\$250 plus \$8 per bed
16—25	\$300 plus \$8 per bed
26—50	\$350 plus \$8 per bed

- (2) ~~The annual fee shall be according to existing licensed capacity, unless the licensee requests a lower or higher capacity. The fee schedule shall be as follows:~~

Capacity	Annual Fee
1—6	\$200 plus \$8 per bed
7—15	\$250 plus \$8 per bed
16—25	\$300 plus \$8 per bed
26—50	\$350 plus \$8 per bed

- (c) When a licensee moves a facility from one location to another, the ~~reduced application processing~~ relocation fee shall be as follows: specified in Health and Safety Code Section 1568.05(b)(1)(A).

Capacity	Relocation
1—6	\$100 plus \$4 per bed
7—15	\$125 plus \$4 per bed
16—25	\$150 plus \$4 per bed
26—50	\$175 plus \$4 per bed

- (1) The ~~reduced~~ relocation fee shall be charged under either of the following conditions:

(A) (Continued)

(B) (Continued)

- (2) (Continued)

- (d) The ~~application processing~~ fees shall be nonrefundable.

Authority Cited: Section 1568.072, Health and Safety Code.

Reference: Sections 1568.05, 1568.061, and 1568.072, Health and Safety Code.

Amend Section 101178 to read:

101178 APPLICATION REVIEW (Continued)

101178

- (c) The application processing fee is nonrefundable ~~except as provided in Government Code section 15378.~~

~~HANDBOOK BEGINS HERE~~

- ~~(1) Government Code Section 15378 reads in pertinent part:~~

~~...The regulations shall provide for the full reimbursement of any and all filing fees paid by a permit applicant whose application was not processed within the time limits adopted by an agency pursuant to this chapter, and whose appeal to the secretary or agency head was decided in the applicant's favor.~~

~~HANDBOOK ENDS HERE~~

Authority Cited: Section 1596.81, Health and Safety Code.

Reference: Sections 1596.83, 1596.851 and 1596.95, Health and Safety Code.

Amend Section 101187 to read:

101187 APPLICATION/ANNUAL LICENSING FEES

101187

- (a) An applicant or licensee shall be charged ~~application/annual~~ fees as specified in Health and Safety Code Section 1596.803.

HANDBOOK BEGINS HERE

- (1) Health and Safety Code Section 1596.803 ~~reads in pertinent part provides:~~

- ~~(a) (1) A fee adjusted by facility and capacity shall be charged by the department for the issuance of an original license to operate a child day care facility or for processing any application therefor. After initial licensure, the fee shall be charged by the department annually. The amount of the fee is for the purpose of financing a portion of the application and annual processing costs and the activities specified in subdivision (b). The fee shall be assessed as follows:~~

Fee Schedule

Facility Type	Capacity	Original Application	Annual Fee
...			
Day Care Centers	1-30	\$100	\$100
	31-60	\$200	\$200
	61-75	\$250	\$250
	76-90	\$300	\$300
	91-120	\$400	\$400
	121+	\$500	\$500

- ~~(2) (A) Notwithstanding paragraph (1), any licensee, including, but not limited to, public agencies with more than one licensed facility shall pay no more than five hundred dollars (\$500) for the original application and five hundred dollars (\$500) for the annual fee if the capacity is less than 1,000 children in the aggregate. Any licensee, including, but not limited to, public agencies with more than one licensed facility shall pay no more than one thousand dollars (\$1,000) for the original application and one thousand dollars (\$1,000) for the annual fee if the capacity is 1,000 children or more in the aggregate.~~

- ~~(B) Notwithstanding subparagraph (A), the fees provided for in paragraph (1) shall also apply to any for-profit corporation,~~

~~person, firm, association, or partnership holding 25 or more day care center licenses....~~

- ~~(e) A child day care facility may use a bona fide business or personal check to pay the license fee required under this section.~~
- ~~(d) Failure to pay required license fees, including the finding of insufficient funds to cover bona fide business or personal checks submitted for this purpose, shall constitute grounds for denial of a license or special permit or forfeiture of a license or special permit.~~
- ~~(e) The department shall assess the fees on an annual basis and may set time periods to spread the license's due dates throughout the year. The fees shall be considered delinquent 30 days after the billing date.~~

“(a) An application fee adjusted by facility and capacity shall be charged by the department for the issuance of a license to operate a child day care facility. After initial licensure, a fee shall be charged by the department annually, on each anniversary of the effective date of the license. The fees are for the purpose of financing activities specified in this chapter. Fees shall be assessed as follows:

Fee Schedule

<u>Facility Type</u>	<u>Capacity</u>	<u>Original Application</u>	<u>Annual Fee</u>
<u>Family Day Care</u>	<u>1-8</u>	<u>\$60</u>	<u>\$60</u>
	<u>9-14</u>	<u>\$115</u>	<u>\$115</u>
<u>Day Care Centers</u>	<u>1-30</u>	<u>\$400</u>	<u>\$200</u>
	<u>31-60</u>	<u>\$800</u>	<u>\$400</u>
	<u>61-75</u>	<u>\$1,000</u>	<u>\$500</u>
	<u>76-90</u>	<u>\$1,200</u>	<u>\$600</u>
	<u>91-120</u>	<u>\$1,600</u>	<u>\$800</u>
	<u>121+</u>	<u>\$2,000</u>	<u>\$1,000</u>

(b) (1) In addition to fees set forth in subdivision (a), the department shall charge the following fees:

(A) A fee that represents 50 percent of an established application fee when an existing licensee moves the facility to a new physical address.

(B) A fee that represents 50 percent of the established application fee when a corporate licensee changes who has the authority to select a majority of the board of directors.

(C) A fee of twenty-five dollars (\$25) when an existing licensee seeks to either increase or decrease the licensed capacity of the facility.

(D) An orientation fee of twenty-five dollars (\$25) for attendance by any individual at a department-sponsored family child day care home orientation session, and a fifty dollar (\$50) orientation fee for attendance by any individual at a department-sponsored child day care center orientation session.

(E) A probation monitoring fee equal to the annual fee, in addition to the annual fee for that category and capacity for each year a license has been placed on probation as a result of a stipulation or decision and order pursuant to the administrative adjudication procedures of the Administrative Procedure Act (Chapter 4.5 (commencing with Section 11400) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

(F) A late fee that represents an additional 50 percent of the established annual fee when any licensee fails to pay the annual licensing fee on or before the due date as indicated by postmark on the payment.

(G) A fee to cover any costs incurred by the department for processing payments including, but not limited to, bounced check charges, charges for credit and debit transactions, and postage due charges.

(H) A plan of correction fee of two hundred dollars (\$200) when any licensee does not implement a plan of correction on or prior to the date specified in the plan.

(2) No local jurisdiction shall impose any business license, fee, or tax for the privilege of operating a small family day care home licensed under this act.

(c) (1) The revenues collected from licensing fees pursuant to this section shall be utilized by the department for the purpose of ensuring the health and safety of all individuals provided care and supervision by licensees, and to support the activities of the licensing program, including, but not limited to, monitoring facilities for compliance with licensing laws and regulations pursuant to this act, and other administrative activities in support of the licensing program, when appropriated for these purposes. The revenues collected shall be used in addition to any other funds appropriated in the annual Budget Act in support of the licensing program.

(2) The department shall not utilize any portion of these revenues sooner than 30 days after notification in writing of the purpose and use, as approved by the Department of Finance, to the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the committee in each house that considers appropriations for each fiscal year. The department shall submit a budget change proposal to justify any positions or any other related support costs on an ongoing basis.

(d) A child day care facility may use a bona fide business or personal check to pay the license fee required under this section.

(e) The failure of an applicant for licensure or a licensee to pay all applicable and accrued fees and civil penalties shall constitute grounds for denial or forfeiture of a license.”

HANDBOOK ENDS HERE

(b) When a licensee moves a child care center from one location to another, the ~~application~~ relocation fee shall be ~~one-half of the original application amount for the capacity as specified above~~ in Health and Safety Code Section 1596.803(b)(1)(A).

(1) To ~~receive~~ qualify for the reduced relocation fee, the following shall apply:

(A) (Continued)

(c) The ~~application and annual~~ fees are nonrefundable ~~except as specified in Section 101178(e).~~

Authority Cited: Section 1596.81, Health and Safety Code.

Reference: Sections 1596.72, 1596.73, and 1596.803 ~~and 1596.81~~, Health and Safety Code.

Amend Section 102384 to read:

102384 APPLICATION/ANNUAL LICENSING FEES

102384

- (a) An applicant or licensee shall be charged a fees as specified in Health and Safety Code Section 1596.803:

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- (1) Health and Safety Code Section 1596.803 ~~reads in pertinent part~~ provides:

~~A fee adjusted by facility and capacity shall be charged by the department for the issuance of an original license to operate a child day care facility or for processing any application therefor. After initial licensure, the fee shall be charged by the department annually. The amount of the fee is for the purpose of financing a portion of the application and annual processing costs and the activities specified in subdivision (b). The fee shall be assessed as follows:~~

Fee Schedule

Facility Type	Capacity	Original Application	Annual Fee
Family Day Care	1—6	\$ 25	\$ 25
	7—12	\$ 50	\$ 50

- (2) ~~A child day care facility may use a bona fide business or personal check to pay the license fee required under this section.~~
- (3) ~~Failure to pay required license fees including the finding of insufficient funds to cover bona fide business or personal checks submitted for this purpose, shall constitute grounds for denial of a license or special permit or forfeiture of a license or special permit.~~
- (4) ~~The department shall assess the fees on an annual basis and may set time periods to spread the licensee's due dates throughout the year. The fee shall be considered delinquent 30 days after the billing date.~~

“(a) An application fee adjusted by facility and capacity shall be charged by the department for the issuance of a license to operate a child day care facility. After initial licensure, a fee shall be charged by the department annually, on each anniversary of the effective date of the license. The fees are for the purpose of financing activities specified in this chapter. Fees shall be assessed as follows:

Fee Schedule

<u>Facility Type</u>	<u>Original Capacity</u>	<u>Annual Application</u>	<u>Fee</u>
<u>Family Day Care</u>	<u>1 - 8</u>	<u>\$60</u>	<u>\$60</u>
	<u>9 - 14</u>	<u>\$115</u>	<u>\$115</u>
<u>Day Care Centers</u>	<u>1 - 30</u>	<u>\$400</u>	<u>\$200</u>
	<u>31 - 60</u>	<u>\$800</u>	<u>\$400</u>
	<u>61 - 75</u>	<u>\$1,000</u>	<u>\$500</u>
	<u>76 - 90</u>	<u>\$1,200</u>	<u>\$600</u>
	<u>91 - 120</u>	<u>\$1,600</u>	<u>\$800</u>
	<u>121+</u>	<u>\$2,000</u>	<u>\$1,000</u>

(b) (1) In addition to fees set forth in subdivision (a), the department shall charge the following fees:

(A) A fee that represents 50 percent of an established application fee when an existing licensee moves the facility to a new physical address.

(B) A fee that represents 50 percent of the established application fee when a corporate licensee changes who has the authority to select a majority of the board of directors.

(C) A fee of twenty-five dollars (\$25) when an existing licensee seeks to either increase or decrease the licensed capacity of the facility.

(D) An orientation fee of twenty-five dollars (\$25) for attendance by any individual at a department-sponsored family child day care home orientation session, and a fifty dollar (\$50) orientation fee for attendance by any individual at a department-sponsored child day care center orientation session.

(E) A probation monitoring fee equal to the annual fee, in addition to the annual fee for that category and capacity for each year a license has been placed on probation as a result of a stipulation or decision and order pursuant to the administrative adjudication procedures of the Administrative Procedure Act (Chapter 4.5 (commencing with Section 11400) and Chapter 5 (commencing with Section 11500) of Part 1 of Division 3 of Title 2 of the Government Code).

(F) A late fee that represents an additional 50 percent of the established annual fee when any licensee fails to pay the annual licensing fee on or before the due date as indicated by postmark on the payment.

(G) A fee to cover any costs incurred by the department for processing payments including, but not limited to, bounced check charges, charges for credit and debit transactions, and postage due charges.

(H) A plan of correction fee of two hundred dollars (\$200) when any licensee does not implement a plan of correction on or prior to the date specified in the plan.

(2) No local jurisdiction shall impose any business license, fee, or tax for the privilege of operating a small family day care home licensed under this act.

(c) (1) The revenues collected from licensing fees pursuant to this section shall be utilized by the department for the purpose of ensuring the health and safety of all individuals provided care and supervision by licensees, and to support the activities of the licensing program, including, but not limited to, monitoring facilities for compliance with licensing laws and regulations pursuant to this act, and other administrative activities in support of the licensing program, when appropriated for these purposes. The revenues collected shall be used in addition to any other funds appropriated in the annual Budget Act in support of the licensing program.

(2) The department shall not utilize any portion of these revenues sooner than 30 days after notification in writing of the purpose and use, as approved by the Department of Finance, to the Chairperson of the Joint Legislative Budget Committee, and the chairpersons of the committee in each house that considers appropriations for each fiscal year. The department shall submit a budget change proposal to justify any positions or any other related support costs on an ongoing basis.

(d) A child day care facility may use a bona fide business or personal check to pay the license fee required under this section.

(e) The failure of an applicant for licensure or a licensee to pay all applicable and accrued fees and civil penalties shall constitute grounds for denial or forfeiture of a license.”

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(b) When a licensee moves a facility from one location to another, the ~~application relocation~~ fee shall be ~~one-half of the original application amount for the capacity as specified above~~ in Health and Safety Code Section 1596.803(b)(1)(A).

(1) To ~~receive~~ qualify for the reduced relocation fee, the following shall apply:

(A) The licensee has notified the Department ~~of his/her intent to relocate the facility~~ before actually relocating the facility.

(B) (Continued)

Authority Cited: Section 1596.81, Health and Safety Code.

Reference: Sections 1596.72, 1596.73, and 1596.803 ~~and 1596.81~~, Health and Safety Code.